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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/552,804

10/11/2005

Srinivas Venkata Rama Gutta

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

HOSSAIN, FARZANA E

ART UNIT

PAPER NUMBER

2623

MAIL DATE

DELIVERY MODE

03/19/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/552,804

**Applicant(s)**GUTTA, SRINIVAS VENKATA  
RAMA**Examiner**

FARZANA E. HOSSAIN

**Art Unit**

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 October 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 10/11/2005.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement filed 10/11/2005 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

### ***Priority***

2. The applicant is claiming priority to PCT/IB/01140 with a filing date of 04/02/2004. The applicant should provide the priority information in the specification.

### ***Drawings***

3. The drawings are objected to because Figures 1-3 are currently blocks with references numerals. The figures should include labels and reference numerals for clarity of each system or process drawing.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate

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prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

4. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase “Not Applicable” should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.

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- (1) Field of the Invention.
- (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

5. The title is "Generation of Implicit TV Recommender via Shows Image Content."

The title should be --Generation of Implicit TV Recommender via Show's Image Content--.

Also a title is suggested: Generation of Implicit TV Recommender Based on Key Frames and Content of Programs.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ismail et al (US 2006/0212900 and hereafter referred to as "Ismail") in view of Wilf (US 2001/0049826).

Regarding Claims 1, 7, 13 and 16, Ismail discloses a system for providing a recommendation (Page 6, paragraph 0089), comprising:

an input device for providing viewing preference of a user (Pages 3-4, paragraph 0065, Page 7, paragraph 0104, Pages 18-19, paragraphs 0225, 0230);

and a processor (Figure 1, 110) for: receiving a plurality of programs from a plurality of channels (Figure 1);

extracting content of said plurality of programs watched by a user to determine preferences of said user (Page 7, paragraphs 0097, 0099, 0104, Page 9, paragraph 0127-0129, Page 13, paragraphs 0170, 172);

generating at least one user profile indicating preferences for a particular program based on the content or electronic program guide (EPG) data embedded therein of said plurality of programs (Page 7, paragraphs 0097, 0099, 0104, Page 9, paragraph 0127-0129, Page 22, paragraph 0254, Page 23, paragraph 0263, Page 13, paragraphs 0170, 0172);

comparing the user profile with incoming programs from a plurality of channels to determine a desired program (Page 22, paragraph 0254, Page 23, paragraph 0263) and

if there is a match, recommending the desired program to the viewer and providing a plurality of viewing recommendations based on said user profile (Page 22, paragraph 0254, Page 23, paragraph 0263, Figure 20). Ismail does not disclose extracting key frames of said plurality of programs watched by a user to determine preferences of said user and generating a user profile based on said extracted key frames of said plurality of programs.

In analogous art, Wilf discloses extracting key frames or video image contents of said plurality of programs watched by a user to determine preferences of said user and generating a user profile based on said extracted key frames of said plurality of programs (Page 3, paragraph 0045, 0046, 0038). Therefore, it would have been obvious to one of ordinary skill in the art to modify Ismail to include extracting key frames or video image contents of said plurality of programs watched by a user to determine preferences of said user and generating a user profile based on said extracted key frames of said plurality of programs (Page 3, paragraph 0045, 0046, 0038) as taught by Wilf in order to allow for efficient automatic channel searching (Page 3, paragraph 0046) as disclosed by Wilf.

Regarding Claims 2 and 8, Ismail and Wilf discloses all the limitations of Claims 1 and 7 respectively. Ismail discloses selecting at least one viewing recommendation by said user or selecting at least one desired program for viewing at a particular time (Page 22, paragraph 0254).

Regarding Claim 3, Ismail and Wilf discloses all the limitations of Claim 1. Ismail discloses further comprising the step of displaying at least one viewing recommendation.

Regarding Claims 4 and 10, Ismail and Wilf discloses all the limitations of Claims 1 and 8 respectively. Wilf discloses extracting the key frames of a particular program is performed interactively in response to said user's input or based on the selection of a channel, recording of a program or search by the user (Page 3, paragraphs 0038, 0044, 0045).

Regarding Claims 5, 12, 15 and 19, Ismail and Wilf discloses all the limitations of Claims 1, 7, 13 and 16 respectively. Ismail discloses updating the content of said user profile to reflect said user's changing preference (Page 5, paragraph 0086, Page 7, paragraphs 0097, 0099, 0104, Page 8, paragraph 0113).

Regarding Claim 6, Ismail and Wilf discloses all the limitations of Claim 1. See rejection of Claims 1, 7, 13 and 16.

Regarding Claim 9, Ismail and Wilf discloses all the limitations of Claim 1. Ismail discloses storing said selected program in a storage medium for a subsequent replay (Pages 3-4, paragraph 0065).

Regarding Claims 11 and 18, Ismail and Wilf discloses all the limitations of Claim 7 and 16 respectively. Ismail discloses a display for displaying said desired program for viewing (Page 22, paragraph 0254).

Regarding Claims 14 and 17, Ismail and Wilf discloses all the limitations of Claims 13 and 16 respectively. Ismail discloses a memory for storing the preferences of said user or user profile (Page 4, paragraph 0069, Figure 1, 116, Figure 43, 116).

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARZANA E. HOSSAIN whose telephone number is (571)272-5943. The examiner can normally be reached on Monday to Friday 7:30 am to 3:00 pm.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chris Kelley/  
Supervisory Patent Examiner, Art  
Unit 2623

FEH  
March 11, 2008